

REMARKS/ARGUMENTS

This is responsive to the Office Action dated July 26, 2005.

Two Information Disclosure Statements have been filed, on September 9 and 22, 2005, respectively. The Examiner's customary acknowledgment is requested.

A brief telephone interview was held on October 19, 2005. It was agreed that the Examiner would reconsider the claims after receiving this amendment. The reason for filing new claims 12 and 13 was also discussed.

Claims 1, 3-6 and 8 were rejected as being anticipated by Nomura et al., Akiyama et al., or Gratz et al.

Independent claims 2, 7, 9 and 10 were found allowable, and being independent claims, are now in condition for allowance.

Claim 11 was also found allowable and is being split into three claims to place it in better form without changing its scope. Claim 11 previously depended from any one of the allowable claims 7, 9 and 10 and the rejected claims 6 and 8. As now amended, claim 11 depends only from any one of the allowable claims 7, 9 and 10.

New claim 12 contains the subject matter of allowable claim 11/6.

New claim 13 is a copy of claim 8 and depends from claim 12 (just as original claim 8 depended from original claim 6), and is allowable at least because of such dependency.

Reconsideration and allowance of claims 1, 3-6 and 8 is requested.

Claims 1, 3-6 and 8 have each been rejected as being anticipated by one or more of Nomura et al., Akiyama et al., and Gratz et al.

Independent claims 1 and 6 state that the workpiece is clamped by a clamping motion in the direction of ultrasonic vibration. As such, the claims are not readable on any of the three references.

In Gratz, the clamping is in a vertical direction as seen in the drawing, between the first clamping plate 4 and the abutment plate 7, or alternatively between the second clamping plate 6 and the abutment plate 7. On the other hand, the vibration direction is into and out of the plane of the drawing. Therefore, the direction of the clamping movement is vertical within the plane of the drawing, while the direction of vibration is horizontal into and out of the plane of the

drawing.

In Akiyama, the clamping movement is in the direction F shown in Figure 1, that is, toward the right horizontally in the plane of the drawing. On the other hand, the vibrating member 3 moves into and out of the plane of the drawing. Thus, in Akiyama, et al. as well, the clamping movement is not in the direction of the vibration as claimed.

Likewise, in Nomura, et al., in the first embodiment of Figs. 1-4, there is a clamping movement which is vertical in the plane of the drawing of Fig. 1, while on the other hand, the direction of vibration is orbital as shown for example in Fig. 4. In the second embodiment of Figs. 5-8, the clamping movement of the clamp 24 for clamping the moving side pipe 10, is from the top and from the bottom of Fig. 6. On the other hand, the clamping movement carried out by the clamp 22 for clamping the fixed side pipe 11, as best seen in Fig. 7, is at an acute angle to the plane of the drawing. The direction of vibration, is into and out of the plane of the drawing of Fig. 6, i.e., vertically as shown in Fig. 5. Therefore, neither the clamp 22 nor the clamp 24 performs a clamping movement in the direction of vibration carried out by the vibrating device 21, 23.

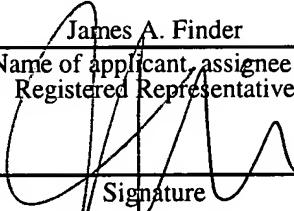
For these reasons, claims 1 and 6 and their dependent claims 3-5 and 8 are submitted to be allowable.

In view of the foregoing amendments and remarks, allowance of claims 1-13 is requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 21, 2005:

James A. Finder

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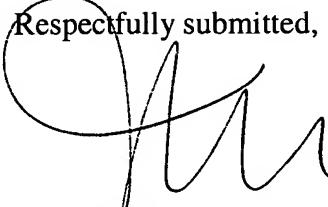


Signature

October 21, 2005

Date of Signature

Respectfully submitted,



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